

POINT TO A MURDER HID BY CORONER'S AID

Bellevue Officials Swear Dr. Lehane's Haste Prevented Investigation.

BODY QUICKLY CREMATED

Dr. Norris and Dr. Symmers Testify Victim Was Not a Suicide, as Certificate Declared.

Evidence to show that Eugene Rochette, found dead of a bullet wound at the Hotel Delaware, in Third Avenue, on March 9 last, was murdered and that the crime was covered up either with intent or by the inefficiency of the Coroner's office was produced yesterday at the investigation of the Coroner system by Commissioner of Accounts Leonard M. Wallstein.

In order to put the case on the public records, Mr. Wallstein read from testimony given at a private hearing by Dr. Charles Norris, Director of Laboratories at Bellevue Hospital, and Dr. Douglas Symmers, pathologist of Bellevue Medical College. Dr. Timothy D. Lehane, the Coroner's physician on the case, signed the death certificate "bullet wound on head; suicide," and permitted the cremation of the body the following day without an autopsy.

Dr. Norris and Dr. Symmers, under oath, said that there were no evidences of powder burns and that the indications were that the bullet which killed Rochette had been fired from a distance. In their opinion, they said, the wound was not self-inflicted, and they further swore that their efforts to interest the District Attorney in the case were frustrated by the fact that the body had been cremated.

When this evidence was introduced Dr. George Burgess Magrath, medical examiner of Boston, was on the stand. Mr. Wallstein explained the circumstances to him, and called attention to the fact that the hotel mentioned was under police surveillance.

"I should say," said Dr. Magrath, in reply to a question, "that the diagnosis of the Coroner's physician was not supported by evidence."

The production of this evidence was only one of a series of important developments yesterday.

Investigate Gift to Dr. Weston.

Dr. Israel L. Feinberg, President of the Manhattan Board of Coroners, who attended the session, announced that he would confer with the other Coroners today in connection with the charge made by Robert A. Bowler that Coroner's Physician Albert T. Weston accepted a "gift" of \$100 in connection with the death of Charles Lee Bowler, a Christian Scientist, on Feb. 9, 1910. The charge, said Dr. Feinberg, demanded immediate attention.

In the Supreme Court, Justice Pendleton adjudged Dr. Bodog Beck in contempt of court for refusing to answer questions by Mr. Wallstein in connection with the death on Nov. 6, 1913, of Isaac Weingart at his home, 285 Central Park West.

Mr. Weingart was found dead in a bathtub at his home and Coroner Herman Hellenstein, who was officially on the case, with Coroner's Physician Lehane, gave a verdict of death due to natural causes. Weingart was insured for \$310,000, and there was a clause in the policy which made it void if he committed suicide.

Dr. Beck had been called by the Weingart family and it was asserted in the papers asking that he be held in contempt that he had described the case to Coroner Hellenstein as "a very doubtful and important" one. It was further said that he had talked with Coroner Hellenstein about the case at the Ritz-Carlton, the McAlpin, and elsewhere. He refused to answer the questions put by Mr. Wallstein on the ground that the relation of physician and patient existing between himself and the deceased made it impossible for him to testify. Justice Pendleton decided that no such relationship had at any time existed in the case as Dr. Beck was not called until after Weingart's death. The facts in the case, he said, could not be suppressed.

Coroner Hellenstein, who was found to be in contempt by Justice Newburger for refusing to answer questions, has been served with a subpoena by Commissioner Wallstein and will be recalled this morning at 10:30 o'clock.

Cites Richeson-Linnell Murder.

Dr. Magrath was on the stand most of the time yesterday. He testified that in many cases where were cited by Mr. Wallstein the Coroner's system here had been proved inefficient. The case of the murder of Avis Linnell by the Rev. Clarence Richeson was brought up as typical in which the alleged slipshod methods here might have allowed the guilty person to escape. Of this case Dr. Magrath said:

It occasionally happens that the first hint of the fact that in connection with a death an unlawful act has been committed is obtained from the Medical Examiner's examination. As a case in point may be mentioned the recent tragedy in which the young woman, Avis Linnell, came to her death as the result of the homicidal administration of poison by a clergyman named Richeson.

In this instance notice of the death was given to the Medical Examiner by a physician called into a students' boarding house because the young girl had died suddenly.

There was no primary suspicion of foul play, and it was only when the post mortem examination disclosed a condition in the stomach suggesting poisoning by potassium cyanide that death from causes other than natural was suggested.

The further discovery of a physical condition compatible with suicide strongly suggested this motive of death, and only the care and diligence of Medical Examiner Leary, who had charge of the case, led to a further investigation by the police resulting in the conviction of Richeson.

How Infanticide Is Made Easy.

The testimony of Dr. Magrath also went to back up the assertion of other experts that infanticide could be carried on here with impunity. He was told that in 442 cases in the past four years the Coroner's physicians had given infantile convulsions as the cause of death with-

out autopsy. Such certificates, he said, should not be accepted as the death in many cases, might have been due to poison, a condition difficult to determine without a most thorough examination and investigation. Gastro enteritis as a cause of death, without autopsy, he said, was not sufficient, as the death in those cases might have been due to poison. In many of the cases cited, he said, autopsies would be held under the Massachusetts system.

Testimony to show that in some instances the inquest by a Coroner's jury was a farce was given by Edward A. Moree, Assistant Secretary of the State Charities Aid Association. He served as a juror, he said, in the case of Charles Lang, who died in May, 1911, from blood poisoning, the result of an injury sustained while employed at the Johnson Iron Works. He thought some of the facts were not being brought out, and asked permission to question Merritt W. Alley, one of the witnesses. Coroner A. F. Schwennecke granted the permission, but soon stopped the questioning, and directed the jury to bring in a verdict of palpable carelessness on the part of the dead man. He protested, Moree said, and was held in contempt of court. Seven of the jurymen brought in a verdict censuring the company and five blamed the employe. The Coroner, he said, held that the verdict was against the evidence and set it aside.

Moree said he again protested and was fined \$100 for contempt of court and was locked up. Five hours later he offered an apology, and was released. He filed a suit for \$10,000 damages against the Coroner for false imprisonment, but the Coroner died while it was in the courts.

FINED FOR ANNOYING GIRL.

Chicago Man Arrested When He Encountered Her Father.

A tall, well-dressed man of 35, who described himself as Albert E. Robbins, a manufacturer of metals, living at 324 State Street, Chicago, was fined \$10 last night by Magistrate Simms in the Men's Night Court for annoying 16-year old Louisa Banks as she was hurrying to her home at 605 Amsterdam Avenue early in the evening. The girl was returning from an errand, when she says a man said to her as he tipped his hat:

"Hello, girlie, whither bound?"

She quickened her pace, she said, but could not shake off her follower. When she got back to her home she found her father, Robert Banks, on the doorstep.

"There's a man following me," she told him, flinging herself into his arms. Mr. Banks stepped aside into the shadow and the next instant Robbins darted up the steps.

Banks took a firm grip upon the intruder's collar and turned him over to Policeman Ardiffe of the West 100th Street Station.

In court the man told Magistrate Simms that he had stepped into a café and "had a few drinks," and that he didn't remember exactly what he did after that. Magistrate Simms imposed a ten-dollar fine, declaring that he would have been more severe with Robbins if the latter had not admitted that he had been drinking. The prisoner, who said he was stopping at the Hotel Knickerbocker, paid the fine and left the court smiling. At the Hotel Knickerbocker it was said that no one by the name of Albert E. Robbins was registered there. A wire from Chicago also said there was no Albert E. Robbins known in that city.

FRIEDMAN DOCTOR HELD.

S'turm Charged with Assaulting Patient Who Demanded Deposit.

Dr. Maurice Sturm, 36 years old, of 237 West Seventy-fourth Street was arrested and locked up in the West Sixty-eighth Street Police Station last night, charged with felonious assault, on a complaint brought by Miss Laura Baird of 230 West Seventy-ninth Street.

Miss Baird told the police that she had been taking the Friedman cure from Dr. Sturm, and had deposited \$20,000 worth of jewels with him to guarantee payment. On being discharged he refused to return the jewels, and she went last night to ask him for them. In the argument that ensued she alleges that Dr. Sturm threw a cut-glass decanter at her, breaking her nose and cutting her face.

She went from the doctor's office to Dr. Stern's office at 116 West Forty-fifth Street, who treated her injuries. Then she made the complaint and had Dr. Sturm arrested. The detectives said that the office was wrecked. Dr. Sturm said last night that he would not return Miss Baird's jewels until he was paid in full for the treatment he said she had received.

SHE SLAPPED HER ANNOYER.

Then Mrs. Millar Handed Him Over to a Policeman.

Mrs. Jeannette Millar of 220 East Twenty-fifth Street was sitting with her 9-year-old son, Robert, at a moving-picture show in the Jefferson Theatre, 114 East Fourteenth Street, last night, when she felt a tug at her skirt. When it was repeated she slapped the face of the man sitting next to her.

Clinging to her annoyers, Mrs. Millar forced her way to the door and turned him over to Policeman Coughlan of the East Thirty-fifth Street Station. He was taken to the Men's Night Court, where he told Magistrate Simms that he was Isidore Levine of 864 Cauldwell Avenue, the Bronx, and said he was out of work and had been sitting in the theatre since early in the afternoon. He was only reaching for his hat, he said, when Mrs. Millar slapped him.

Mrs. Millar displayed a bag filled with money and jewels worth \$600, which she said she had with her. Levine was fined \$10, and when he could not pay he was sent to the Workhouse for ten days.

GRIEVING MOTHER FORGIVES

Touched by Emotion of Autoist Whose Car Killed Child.

While she was crossing East Ninety-second Street, at Skidmore Lane, Canarsie, last evening to visit her grandmother, Anna Van Houten, nine years old, daughter of Mrs. George Van Houten of 1,123 East Ninety-second Street, was run down by an automobile driven by William L. Earl, a lumber salesman of 473 Macon Street.

Her sister, Mary, 8 years old, who witnessed the accident, ran to tell their mother, and meantime Anna was carried to the home of Dr. Charles L. Thall, just across the street. The mother got there in time to see her daughter alive. The child died in her arms.

In the automobile with Mr. Earl was his brother. They were so deeply affected that Mrs. Van Houten asked the police not to take any action, and they were released. She said that her children were members of the choir of Grace Methodist Church.